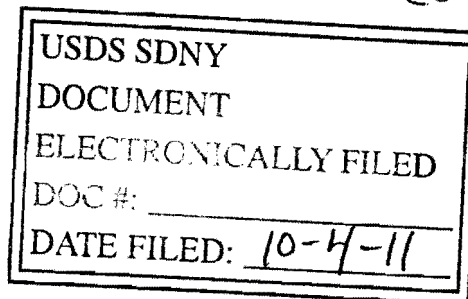


Costello



**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**FEDERAL HOUSING FINANCE  
AGENCY, AS CONSERVATOR FOR THE  
FEDERAL HOME LOAN MORTGAGE  
CORPORATION,**

**Plaintiff,**

**-against-**

**MORGAN STANLEY, MORGAN  
STANLEY & CO., INC., MORGAN  
STANLEY MORTGAGE CAPITAL  
HOLDINGS LLC d/b/a MORGAN  
STANLEY MORTGAGE CAPITAL, INC.,  
MORGAN STANLEY ABS CAPITAL I,  
INC., MORGAN STANLEY CAPITAL I,  
INC., SAXON CAPITAL, INC., SAXON  
FUNDING MANAGEMENT LLC f/k/a  
SAXON FUNDING MANAGEMENT,  
INC., SAXON ASSET SECURITIES  
COMPANY, CREDIT SUISSE  
SECURITIES (USA) LLC f/k/a CREDIT  
SUISSE FIRST BOSTON LLC, RBS  
SECURITIES, INC. d/b/a RBS  
GREENWICH CAPITAL and f/k/a  
GREENWICH CAPITAL MARKETS,  
INC., GAIL P. MCDONNELL, HOWARD  
HUBLER, CRAIG S. PHILLIPS,  
ALEXANDER C. FRANK, DAVID R.  
WARREN, JOHN E. WESTERFIELD, and  
STEVEN S. STERN,**

**Defendants.**

11 Civ. 6739 (KPC) (PKC)

**STIPULATION AND ~~PROPOSED~~ ORDER**

This Stipulation is entered into between Plaintiff Federal Housing Finance Agency and Defendants Morgan Stanley, Morgan Stanley & Co. Incorporated (n/k/a Morgan Stanley & Co. LLC), Morgan Stanley Mortgage Capital Holdings LLC (successor-in-interest to Morgan Stanley

Mortgage Capital Inc.), Morgan Stanley ABS Capital I Inc., Morgan Stanley Capital I Inc., Saxon Capital, Inc., Saxon Funding Management LLC, Saxon Asset Securities Company, Gail P. McDonnell, Howard Hubler, Craig S. Phillips, Alexander C. Frank, David R. Warren, John E. Westerfield, and Steven S. Stern (collectively, the "Morgan Stanley Defendants"), Credit Suisse Securities (USA) LLC ("Credit Suisse"), and RBS Securities, Inc. ("RBS," and together with the Morgan Stanley Defendants and Credit Suisse, "Defendants") that:

IT IS HEREBY STIPULATED AND AGREED by and between the parties herein that, subject to any further agreement between the parties or Order of this Court:

- (a) Defendants' time to move to dismiss, answer or otherwise respond to the Complaint in this action is extended until December 2, 2011;
- (b) Plaintiff's time to oppose any motion to dismiss or otherwise respond is extended until March 2, 2012;
- (c) Defendants' time to reply, as applicable, is extended until April 16, 2012;
- (d) neither Plaintiff nor Defendants waive any rights to seek from each other or the Court, or to oppose, any further adjournments or extensions of these deadlines or any other deadlines; and
- (e) the entry into this stipulation shall not waive any rights, claims or defenses, all of which are expressly preserved.

Dated: New York, New York  
October 3, 2011

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Inc., Morgan Stanley Capital I Inc., Saxon  
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*Attorneys for RBS Securities Inc.*

**SO ORDERED:**

  
**U.S.D.J.**

10-4-11 